



DFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mandro et al. Atty Dkt: 1062/D78
Serial No: 10/625,792 Art Unit: 2878
Date Filed: July 23, 2003 Examiner: Lee, P. J.
Invention: Optical Displacement Sensor for Infusion Devices

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class Mail addressed to Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on May 9, 2005.


M. Brad Lawrence

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION OF FEBRUARY 8, 2005

Dear Sir:

In response to the office action mailed February 8, 2005, Applicants offer the following remarks in the hope they might be helpful to the Examiner in distinguishing the present invention over the prior art and result in allowance of the pending claims.

The Claims are listed, beginning on page 2.

Remarks begin on page 5.



Practitioner's Docket No. 1062/D78

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marc A. Mandro, Larry B. Gray

Application No.: 10/625,792

Group No.: 2878

Filed: July 23, 2003

Examiner: Lee, P.J.

For: Optical Displacement Sensor for Infusion Devices

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____

Signature

Date: May 9, 2005

M. Brad Lawrence

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE		ADDIT. FEE	
TOTAL	20	– 20	= 0	x \$	50.00	= \$	0.00
INDEP.	3	– 3	= 0	x \$	200.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$ 0.00	= \$	0.00
TOTAL ADDIT. FEE						\$	0.00

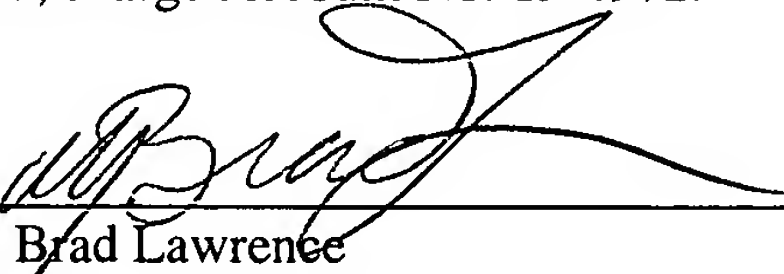
No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: May 9, 2005


 M. Brad Lawrence
 Registration No. 47,210
 BROMBERG & SUNSTEIN LLP
 125 Summer Street
 Boston, MA 02110-1618
 US
 617-443-9292
 Customer No. 002101